

HB

302

#1

TELEGRAM

ALASCOM, INC.
PHONE: 586-6442
JUNEAU, AK 99802

06005 TDJU SITKA ALASKA 54 05-25 1153A PDT

PHS SENATOR RICHARD ELIASON

POUCH V

4693

JUNEAU AK 99811

SENATOR ELIASON:

THE SITKA COMMUNITY ASSOCIATION RESPECTFULLY REQUESTS YOUR
ASSISTANCE TO AMEND ALASKA STATUTE 1.55.996 AS FOLLOWS:

ADD A PARAGRAPH TO INCLUDE THE SITKA COMMUNITY
ASSOCIATION (BARANOF ISLAND HOUSING AUTHORITY)
TO THE LIST OF ASSOCIATIONS AUTHORIZED TO FORM
NATIVE HOUSING AUTHORITIES.

THANK YOU VERY MUCH FOR YOUR SUPPORT ON THIS MATTER.

HILLIAM H. BRAD, PRESIDENT

SITKA COMMUNITY ASSOCIATION

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHR 302 (Fin) (Page 1 of 8)
 Title State Housing Loans
 Requested by House Finance Date 5/17/83

II. FISCAL DETAIL

Agency Affected Community & Regional Affairs
 Program Category Affected Development
 BRU, Program, Or Subprogram(s) Affected Housing Assistance
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES		141	193	205	217	230
200 TRAVEL		41	44	46.1	48.9	51.8
300 CONTRACTUAL		12	13	13.5	14.3	15.2
400 COMMODITIES		29	31	32	33	34
500 EQUIPMENT		3	3.1	3.3	3.5	3.7
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		226	284.1	299.9	316.7	334.7

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source) Program Receipts		226	284.1	299.9	316.7	334.7

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME		5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This appropriation will fund the increased costs of operating the home ownership assistance program created in this bill. It is the only appropriation, in addition to the funding provided in CSHR 315 (Finance), which is necessary to provide these low interest loans. These costs will be funded with program receipts. See the attachment for details on the funding provided through this fiscal note.

IV. DATE 5/17/83 PREPARED BY Al Adams, Chairman **APA**
 AGENCY House Finance Committee
 Original: Legislative Finance PHONE 665-1100

Home Ownership Assistance Fund (HOAF) Assumptions for Fiscal Note

Expenditures

OPERATING:

Personal Services

\$141,000

<u>Position</u>	<u>Salary & Benefits</u>
Loan Examiner I	\$ 41,867 (12 months)
Clerk Typist III	20,335 (9 months)
Accountant III	25,883 (6 months)
Accounting Clerk III	22,890 (9 months)
Documents Processing Clerk III	<u>30,519 (12 months)</u>
	\$141,000 (rounded down)

All salaries are based on GGU Salary Schedule for A ranges Effective 1/1/83 for number of months requested.

Benefits were calculated at .0613 of gross salaries.

Supplemental benefits were calculated at DCRA FY'84 variable rate of .1537.

Fixed benefits were calculated at gross salary x 240.

FY'84 impacts for new positions varied between 12 and 6 months. FY'85 projections assume all positions at 12 month plus 6% salary inflation costs. Subsequent years assume only annual inflation rate of 6%.

Travel

\$ 41,000

Travel is assumed to reflect both direct and indirect lending services of the division. FY'84 travel reflects the following specific assumptions:

Loan Examiner I to hearings in six field locations	\$ 2,500
Accountant, 6 trips to Juneau .	3,600
Central office to bring field staff for training on new program	5,000
6 field offices @ 5,000 each for increased direct services and program outreach	<u>30,000</u>
	\$41,000

HOAF Assumptions for Fiscal Note
(Page 3 of 8)

Contractual \$ 12,000

Contractual assumptions were as follows

- New Regulations	\$ 8,500
- Computer programming	3,500
	<u>\$12,000</u>

Commodities \$ 29,000

Commodities assumptions were based on present cost of equipment for desks, chairs, files, WANG stations and data processing equipment.

Equipment \$ 3,000

Equipment is assumed at \$500 per new position plus \$500 for extra supplies to field.

Annual projections carry a 6% inflation calculation.

Total Fiscal Note Request \$226,000

Additional Personal Services data is provided on the attached FY'84 Budget Forms. Please note the justification section on each form for a needs assessment of each position requested.

1.	POSITION TITLE LOAN EXAMINER I				RANGE/STEP 15-A	BARC. UNIT G	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL		ADDITION		JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>1. This position is calculated for twelve months to absorb extra underwriting duties expected from renewal of rural interest rates reduced from urban ratchet rate. Other duties will include establishment of eligibility criteria forms for HOAF program, drafting of regulations to administer program, development of rural outreach and training projects for the division and underwriting of all HOAF loans. First year estimated activity is 176 HOAF loans averaging \$85,000 each for a total underwriting responsibility of \$15,000,000.</p> <p>2. Travel includes public hearing schedule for rural HOAF loan program in all regional office locations.</p> <p>3. Commodities reflect office equipment, word and data processing equipment for this position.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary 2398 X 12	28,776								
6.	Benefits	1,763								
7.	Supplemental Benefits	4,422								
8.	Fixed Benefits	6,906								
9.	TOTAL PERSONAL SERVICES	01	41,867							
10.	Travel	02	2,500							
11.	Contractual	03	-0-							
12.	Commodities	04	6,500							
13.	Equipment	05	500							
14.	Other		-0-							
15.	TOTAL COST		52,767							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		52,767						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&H USE ONLY										
4A KEY NUMBER _____										

13 REQUEST FOR
NEW POSITION

AGENCY DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

PROGRAM _____

BRU HOUSING ASSISTANCE DIVISION

COMPONENT _____

FY 84

Page 4 of 8
Revised Date _____

1.	POSITION TITLE CLERK TYPIST III				RANGE/STEP 08-A	BARG. UNIT G	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 9	RP NUMBER	PCH NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		

3.	CONTINUATION LEVEL	ADDITION	X	
4.	TYPE OF EXPENDITURE		AMOUNT	
		2	3	
	PERSONAL SERVICES			
5.	Salary	1553 x 9	13,977	
6.	Benefits		856	
7.	Supplemental Benefits		2,148	
8.	Fixed Benefits		3,354	
9.	TOTAL PERSONAL SERVICES	01	20,335	
10.	Travel	02	-0-	
11.	Contractual	03	-0-	
12.	Commodities	04	4,500	
13.	Equipment	05	500	
14.	Other			
15.	TOTAL COST		25,335	

JUSTIFICATION

1. This clerical position will support an FY'84 increase in professional staff and assume all clerical duties for certification and recertification of HOAF clients.
2. Commodities are assumed to cover office and data processing equipment for this position.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	25,335
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

FOR B&H USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR
NEW POSITION

AGENCY DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

PROGRAM _____

BRU HOUSING ASSISTANCE DIVISION

COMPONENT _____

FY 84

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Revised Date _____

1.	POSITION TITLE ACCOUNTANT III				RANGE/STEP 18-A	BARC. UNIT 6	FORM 12 PAGE/LINE	GOV	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 6	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL	ADDITION	X		JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>1. This position will oversee all accounting staff of the division (3) and will monitor all revolving loan fund accounts, subsidy accounts, operating loss reserve account and title loss reserve account.</p> <p>2. This position will be responsible for reconciliation with PBA for an estimated \$155 million in loan funds and \$55 million in construction grant funds by the end of FY'84.</p> <p>3. This position will be the final department authority on low income eligibility for loan or grant programs on direct services.</p> <p>4. This position will be the final department authority for reconciliation with all seller/services on indirect services.</p> <p>5. This position will maintain an ongoing portfolio analysis of expenditures and advise management on expenditure patterns per statute for each program.</p> <p>6. This position is based on 6 months only for FY'84 and assumes 6 trips to Juneau @ \$600 each annually.</p> <p>7. Contractual costs are assumed for special computer programming services.</p> <p>8. Commodities reflect office equipment and data processing equipment.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	2965 x 6	17,790							
6.	Benefits		1,090							
7.	Supplemental Benefits		2,734							
8.	Fixed Benefits		4,269							
9.	TOTAL PERSONAL SERVICES		01	25,883						
10.	Travel		02	3,600						
11.	Contractual		03	2,000						
12.	Commodities		04	4,500						
13.	Equipment		05	500						
14.	Other									
15.	TOTAL COST			36,483						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		36,483						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

AGENCY DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

PROGRAM _____

BRU HOUSING ASSISTANCE DIVISION

COMPONENT _____

FY 84

13 REQUEST FOR
NEW POSITION

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Revised Date _____

1.	POSITION TITLE ACCOUNTING CLERK III				RANGE/STEP 10-A	BARG. UNIT G	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 9	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL		ADDITION	X	JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1		2		3					
	PERSONAL SERVICES									
5.	Salary	1748 x 9			15,732					
6.	Benefits				964					
7.	Supplemental Benefits				2,418					
8.	Fixed Benefits				3,776					
9.	TOTAL PERSONAL SERVICES		01		22,890					
10.	Travel		02		-0-					
11.	Contractual		03		-0-					
12.	Commodities		04		6,500					
13.	Equipment		05		500					
14.	Other									
15.	TOTAL COST				31,890					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			31,890					
19.		I-A Receipts 1005								
20.		Program Receipts 1020								
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

- This position is calculated at 9 months only. It will accomodate increased accounting responsibilities as a result of interest rate reductions in rural Alaska.
- This position will assist accounting technician staff in posting PITI figures for an estimated 1150 loans prior to assumption of new loan program for low income borrowers in rural Alaska.
- Accounting unit currently has no clerical support. More correspondence with PBA regarding low income and existing program borrowers is anticipated.
- Weight of data processing conversions and file maintenance for accounting unit will be borne by accounting unit clerical staff person.
- Commodities include office equipment, word and data processing equipment for this position.

13 REQUEST FOR
NEW POSITION

AGENCY DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS
 PROGRAM _____
 BRU HOUSING ASSISTANCE DIVISION
 COMPONENT _____

FY 84

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 Revised Date _____

1.	POSITION TITLE DOCUMENTS PROCESSING CLERK III				RANGE/STEP 10-A	BARG. UNIT G	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PPT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT 7	LEG.		
3.	CONTINUATION LEVEL		ADDITION	X	JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1			2			3			
	PERSONAL SERVICES									
5.	Salary	1748 x 12	20,976							
6.	Benefits		1,285							
7.	Supplemental Benefits		3,224							
8.	Fixed Benefits		5,034							
9.	TOTAL PERSONAL SERVICES		01	30,519						
10.	Travel		02	-0-						
11.	Contractual		03	1,500						
12.	Commodities		04	6,500						
13.	Equipment		05	500						
14.	Other			-0-						
15.	TOTAL COST			39,019						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts	1002							
17.		G.F. Match	1003							
18.		General Funds	1004	39,019						
19.		I-A Receipts	1005							
20.		Program Receipts	1028							
21.		Other								
FOR B&M USE ONLY 4A KEY NUMBER _____										

1. This position will be responsible for all loan file transfers between six field offices and the central office and between the central office and all seller/servicers
2. This position receives all files logged in and will enter them into data processing, review them for completeness, distribute to underwriters, accountants or loan closers for action.
3. This position receives all completed files from HAD staff and transmits to seller/servicers all executed documents of file.
4. This position is responsible for maintaining all logs, tracking and filing systems for the division.
5. Contractual services are calculated to assume additional data processing programming for new programs and present programs experiencing interest rate adjustments.
6. Commodities are estimated to include office equipment word and data processing equipment for this position.

AGENCY DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

PROGRAM _____

BRU HOUSING ASSISTANCE DIVISION

COMPONENT _____

FY 84

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Revised Date _____

13 REQUEST FOR
NEW POSITION

STATE OF ALASKA
FISCAL NOTE

Revision Date 5/4, 1983

I. REQUEST

No. 2

Bill/Resolution No: HB 302 (Loans)
 Title: AHFC--semi rural loans
 Sponsor: Special Committee on Loans
 Requestor: Special Committee on Loans

II. FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Econ. Develop.
 BRU, Program of Subprogram(s) Affected: Alaska Housing Finance Corporation

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 COMMODITIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC.	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-

CAPITAL	12.5 M	-	-	-	-	-
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REVENUE	-	-	-	-	-	-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	12.5 M	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

The change to a maximum subsidized loan from \$90,000 to \$100,000 will require \$12.5M more in subsidy funds.

IV. ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Michael S. Lynch
 Division: Alaska Housing Finance Corporation

Phone: 276-5599
 Date: 05/04/83

Approved by Commissioner: [Signature]
 Department: Revenue

Date: 5/4/83

Distribution:

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- Copy to Requestor (if different from Sponsor)

STATE OF ALASKA
FISCAL NOTE

Revision Date 4/29, 1983

I. REQUEST No. 1 Page 1 of 3II. FISCAL DETAIL
Bill/Resolution No.: CS for HB 302 (Loans) Agency Affected: Comm. & Reg. Affairs
Title: State Housing Loans Program Category Affected: development
Sponsor: House Special Commte./Loans BRU, Program of Subprogram(s) Affected:
Requestor: Hse. Spec. Cmte./Loans Housing Assistance

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		141	193	205	217	230
200 TRAVEL		41	44	46.1	48.9	51.8
300 CONTRACTUAL		12	13	13.5	14.3	15.2
400 COMMODITIES		29	31	32	33	34
500 EQUIPMENT		3	3.1	3.3	3.5	3.7
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		226	284.1	299.9	316.7	334.7
ANNUAL SUBSIDY		650	1,000	1,200	1,350	1,700
CAPITAL		15,650	31,650	37,850	44,200	50,700
SUBSIDY (Cumulative)		650	1,650	2,850	4,200	5,700
REVENUE		350	2,150	4,250	6,650	9,350
REVENUE (Annual)		350	1,800	2,100	2,400	2,700

FUNDING: (Thousands of Dollars)

GENERAL FUND		15,650	31,650	37,850	44,200	50,700
FEDERAL FUNDS						
OTHER (Specify Source)						
Program Receipts		226	284.1	299.9	316.7	334.7

POSITIONS:

FULL-TIME		5	5	5	5	5
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Unused AIDA Certificates of Deposit. SLA 1982, CH 114 CCSSB 322
(See 9. Assumptions for Fiscal Note)

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: B. Morese-Quinn/R. Price Phone: 272-4585
 Division: Housing Assistance Division Date: 4/15/83
 Approved by Commissioner: Robert H. Kelleher Date: 4/15/83
 Department: Community & Regional Affairs

Distribution:

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3/8/83

Home Ownership Assistance Fund (HOAF) Assumptions for Fiscal Note

1. AHFC made 381 HOF loans in FY'81 for \$24.7 million with an average loan amount of \$64,829.00. AHFC made 903 HOF loans in FY'82 for \$58.1 million with an average loan amount of \$64,341.00. HAD's average loan amount is \$87,500.00 HAD projects a FY'84 HOAF program of 176 loans at \$85,000.00 each for a total of \$15 million in loans made.

2. HAD projects a HOAF Program based on rural Alaskan needs as follows:
 - a. Dwelling Price Maximums

1 or 2 member family	\$100,000
3 member family	105,000
4 member family	110,000
5 or more member family	120,000

 - b. Income Maximums

Adult family members	30,000
1st child	5,000
Each additional child	1,500
to program maximum of	39,000

 - c. Asset Maximums

3 times income for all borrowers

3. Subsidies are calculated for payments of 1 adult and 2 children in rural Alaska to be subsidized from ratchet rate of 10% to HOAF rate of 6%. Average salary is computed at \$2,335 per month with subsidy of \$235.30 per month.

4. Capital projections assume accumulated subsidy projections. Annual subsidy rates are noted.

5. Revenue projections assume accumulated interest of 6% returning to the General Fund. Annual interest earnings are noted. Principal repayment is assumed to revolve back to the fund and is not calculated as revenue.

6. Position requests assume a specialization of duties and can absorb the year round program levels projected with no increased staff.

7. Travel is assumed to reflect both direct and indirect lending services of the division. FY'84 travel reflects the following specific assumptions:

2,500	Loan Examiner I to hearings in six field locations
3,600	Accountant, 6 trips to Juneau
5,000	Central office to bring field staff for training on new program
30,000	6 field offices @ 5,000 each for increased direct services and program outreach

8. Contractual assumptions were as follows:
8,500 New regulations - HOAF
3,500 Computer programming
9. Commodities assumptions were based on present cost of equipment for desks, chairs, files, WANG stations and data processing equipment.
10. Equipment is assumed at \$500 per new position plus \$500 for extra supplies to field.
11. Annual projections carry a 6% inflation calculation.

Notes for Form 13 Calculations

1. All salaries are based on GGU Salary Schedule for A ranges effective 1/1/83 for number of months requested.
2. Benefits were calculated at .0613 of gross salaries.
3. Supplemental benefits were calculated at DCRA FY'84 variable rate of .1537.
4. Fixed benefits were calculated at gross salary x 240.

Notes for Personal Services Category Projections

1. FY'84 impacts for new positions varied between 12 and 5 months. FY'85 projections assume all positions at 12 month plus 6% salary inflation costs. Subsequent years assume only annual inflation rate of 6%.

Notes for Revenue Projections

1. Monthly distribution of capital funds and, therefore, monthly interest calculations due on payments of first year operations cannot be accurately projected until program becomes operational. These figures are division's best estimates.

Article 5. Regional Native Housing Authorities.

Section

995. Purpose and intent
996. Creation of authorities
997. Residential loans

Section

998. Supplemental housing development grants

Collateral references. — 40 Am. Jur. 2d, Housing Laws and Urban Redevelopment, §§ 1-14.
39A C.J.S. Health and Environment, §§ 28-36.
Suability and liability, for torts, of public housing authority. 61 ALR2d 1246.

Sec. 18.55.995. Purpose and intent. The legislature finds that an acute shortage of housing and related facilities exists in the villages of Alaska and that adequate housing cannot be provided by the private sector due to the economic depression which exists in most villages of Alaska. It is the purpose and intent of the legislature to provide a means for certain native associations to form public corporations with the powers and duties comparable to the Alaska State Housing Authority. (§ 1 ch 123 SLA 1971; am § 2 ch 151 SLA 1975)

Sec. 18.55.996. Creation of authorities. (a) The following associations are given the authority specified in (b) of this section:

- (1) Arctic Slope Native Association (Barrow and Point Hope)
- (2) Bering Straits Association (Seward Peninsula, Unalakleet, St. Lawrence Island)
- (3) Northwest Alaska Native Association (Kotzebue)
- (4) Association of Village Council Presidents (southwest coast of Alaska including all villages in the Bethel area and all villages on the Lower Yukon River and Lower Kuskokwim River)
- (5) Tanana Chiefs Conference (Koyukuk, the middle and upper Yukon River villages and the upper Kuskokwim and Tanana River villages)
- (6) Cook Inlet Association (Kenai, Tyonek, Eklutna and Iliamna)
- (7) Bristol Bay Native Association (Dillingham, Upper Alaska Peninsula)
- (8) Aleut League (Aleutian Islands, Pribilof Islands and that part of the Alaska Peninsula which is in the Aleut League)
- (9) North Pacific Rim Native Corp. (Cordova, Tatitlek, Fort Graham, English Bay, Valdez, Seward, Eyak and Chenega)
- (10) Tlingit-Haida Central Council or Alaska Native Brotherhood (Southeastern Alaska including Metlakatla)
- (11) Kodiak Area Native Association (all villages on and around Kodiak Island)

(12) Copper River Native Association (Copper Center, Glennallen, Chitina and Mentasta)

(13) Alaska Federation of Natives, Inc.

(b) There is created with respect to each of the associations named in (a) of this section a public body corporate and politic to function in the operating area of the individual associations to be known as the regional housing authority of the associations possessing all powers, rights and functions now or subsequently specified for the Alaska State Housing Authority, under the Alaska State Housing Authority Act (AS 18.55.010 — 18.55.290) except those specified with respect to the construction and acquisition of public buildings for lease to the state or any subsequently specified authority which is inconsistent with AS 18.55.995. The authority shall have the power to enter into agreements with local government, other political subdivisions of the state, the state or the federal government for the exercise of a function or power relating to construction, operation and maintenance of public facilities or public utilities. Upon execution of such an agreement and for the period of the agreement the authority shall have the same powers and functions relating to the subject matter of the agreement as those which may legally be exercised by the governmental unit with whom the agreement is made including the authority to separately or together with the other unit borrow money and issue notes, bonds or other evidence of indebtedness to finance a project within the scope of the agreement subject to the express limitations, if any, contained in the agreement. All obligations or liabilities of the regional housing authorities shall remain their own and shall not be obligations or liabilities of the state.

(c) A housing authority created by this section may not transact business or exercise powers granted to it until the governing body of the named association has, by proper resolution, declared that there is a need for the authority to function, gives it the authority to function and has named its commissioners as provided under (d) of this section.

(d) The governing body of the association in question shall, after determining that it wishes to have a regional native housing authority, appoint five persons to serve as the board of commissioners of the authority. The term of office of each member is for three years except that, of the commissioners first appointed, one shall serve for a term of one year and two shall serve for a term of two years. Vacancies shall be filled by the governing body of the association in question.

(e) Question arising as to jurisdiction and boundary disputes as a result of the jurisdictional lines set out by (a) of this section shall be resolved by the governing board of the Alaska Federation of Natives.

(f) The authority shall have the power to acquire, construct, operate and maintain group homes, multipurpose community centers, child care centers and other community facilities.

(g) If an instruction or established Housing Authority project

(h) Before housing unit program is awarded contractors 36.25.010 (a)

(i) A housing financial record accountant of the financial records to these records SLA 1975; and 86 SLA 198

Effect of an amendment ad

Sec. 18.5 authorized regional housing policies adopted Housing Finance development shall be secured directors of the trust on a loan approved by Corporation

(b) In this (1) "development repair, remodeling (2) "rural" 4,500 or less Fairbanks.

Sec. 18.5 There is created a supplementary ability of applicants to request for the cost project sites individual residential

(g) If an activity associated with the planning, financing, construction or operation of a project by a regional housing authority established in this section conflicts with an activity of the Alaska State Housing Authority, the governing body of the municipality in which the project is located shall resolve the conflict.

(h) Before a contract for the construction, alteration, or repair of a housing unit constructed under a federal or state funded housing program is awarded, the regional housing authority shall require the contractors to comply with the bond provisions specified in AS 36.25.010 (a) and (b).

(i) A housing authority created under this section shall have its financial records audited annually by an independent certified public accountant. The legislative auditor may prescribe the form and content of the financial records of the housing authority and shall have access to these records at any time. (§ 1 ch 123 SLA 1971; am §§ 3, 6 ch 151 SLA 1975; am § 1 ch 274 SLA 1976; am § 1 ch 12 SLA 1977; § 6 ch 86 SLA 1981)

Effect of amendments. — The 1977 amendment added subsection (g). The 1981 amendment, added subsections (h) and (i).

Sec. 18.55.997. Residential loans. (a) In addition to the powers authorized to a regional housing authority under AS 18.55.996, a regional housing authority may, in accordance with procedures and policies adopted and approved by the board of directors of the Alaska Housing Finance Corporation, make loans for the purchase or development of residential housing in rural areas of the state. A loan shall be secured by collateral in an amount acceptable to the board of directors of the Alaska Housing Finance Corporation. The rate of interest on a loan authorized by this section may not exceed an interest rate approved by the board of directors of the Alaska Housing Finance Corporation.

(b) In this section,

(1) "development" means the construction of a new residence or the repair, remodeling, rehabilitation or expansion of an existing home;

(2) "rural" means any community of the state with a population of 4,500 or less that is not connected by road or rail to Anchorage or Fairbanks. (§ 11 ch 167 SLA 1978)

Sec. 18.55.998. Supplemental housing development grants. (a) There is created in the Department of Community and Regional Affairs a supplemental housing development grant fund. Subject to the availability of appropriations for the purpose, the department shall make grants to regional housing authorities established under AS 18.55.996 for the cost of on-site sewer and water facilities, road construction to project sites, and extension of electrical distribution facilities to individual residences.

Baranof Island
Housing Authority

Rm 417

P. O. Box 4360
MT. Edgecumbe, Alaska 99835
(907) 747-3207

May 20, 1983

STATE OF ALASKA
RECEIVED
MAY 23 '83

Veronica L. Howard
Research Analyst
Office of the Lieutenant Governor
Pouch AA
Juneau, AK 99811

LIEUTENANT GOVERNOR

Dear Ms. Howard:

Please find enclosed a copy of our charter, Office of the Solicitor's opinion recognizing our organization, the Attorney General's opinion regarding the availability of the supplemental development grant to the Metlakatla Housing Authority and our organization the Baranof Island Housing Authority.

The Baranof Island Housing Authority formed after Tlingit and Haida Regional Housing Authority was forced to stop operations in Sitka by the Department of Housing and Urban Development for financial considerations. The Baranof Island Housing Authority was organized after the passage of Alaska Statute 18.55 998 recognizing the housing authorities established prior to the passage of that statute. Simply because of the fact that we were not specifically identified we were deemed not eligible for funds which was implemented specifically for the purpose to which we intended it to be used. As you will note, the Attorney General's opinion alludes to the fact that we could ride on a recognized housing authority and use them as a vehicle to receive the supplemental funds. While I believe this avenue is basically hypocritical and smacks of dishonesty I would use it to complete our project of constructing 30 homes in the Sitka Indian Village.

This letter is intended to give you the background on our problem and to request your assistance in this matter in helping us resolve the problem.

Thank you for your consideration, awaiting your kind response.

Sincerely,

Eric

Eric Morrison
Housing Director



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
ANCHORAGE AREA OFFICE
701 C STREET, BOX 64
ANCHORAGE, ALASKA 99513

REGION X

APR 20 1983

Eric Morrison, Executive Director
Baranof Island Housing Authority
P.O. Box 4360
Mt. Edgecumbe, AK 99835

STATE OF ALASKA
RECEIVED
MAY 23 '83
LIEUTENANT GOVERNOR

IN REPLY REFER TO:

Dear Mr. Morrison:

Enclosed is a copy of an Attorney General's opinion concerning the availability of supplemental state funding for your projects.

We are seeking clarification of this opinion as it relates to your housing authority. You may wish to contact your legislators to ascertain if the enabling statute can be amended or if supplemental appropriations can be obtained directly from the legislature.

If you have any questions, please contact your Multifamily Housing Representative, Chas Leo, at 271-4679.

Sincerely,

Miller Linton
Deputy Director
of Development

Enclosure

TO: Honorable Mark Lewis
Commissioner
Department of Community &
Regional Affairs
ATTN: Barbara Morse-Quinn, Director
Division of Housing Assistance

FROM: Norman C. Gorsuch
Attorney General

By: Jonathan B. Rubini
Assistant Attorney General

DATE: March 29, 1983
FILE NO: 366-384-83
TELEPHONE NO: 465-3600
SUBJECT: Eligibility to re-
ceive supplemental
housing development
grants



You have asked whether the Department of Community and Regional Affairs may provide grants from the supplemental housing development grant fund (AS 18.55.998) to either the Metlakatla Housing Authority or the Baranoff Island Housing Authority.

To promote the development of housing and related facilities in rural Alaska, the legislature authorized 13 specific associations to form regional Native housing authorities. AS 18.55.995 -- 18.55.998. Among the 13 associations authorized to form a regional Native housing authority, the legislature specified that either the Tlingit-Haida Central Council or the Alaska Native Brotherhood could form a regional authority to service Southeastern Alaska. Neither of the housing authorities referred to in your opinion request were established under the authority of AS 18.55.996(a).

While the genesis of a housing authority may not be determinative for all purposes, it is the deciding factor in defining your authority to provide grants from the supplemental housing development fund. AS 18.55.998 provides, in pertinent part:

Subject to the availability of appropriations for the purpose, the department shall make grants to regional housing authorities established under AS 18.55.996 for the cost of on-site sewer and water facilities, road construction to project sites, and extension of electrical distribution facilities to individual residences.

(Emphasis added.) Since neither the Metlakatla Housing Authority nor the Baranoff Island Housing Authority were "established under AS 18.55.996," they are not eligible recipients of a supplemental housing development grant.

Please note, though, that our response to your limited question does not necessarily preclude access to state monies. Conceivably, either authority may enter into an agreement with the section 996(a) authority to obtain state monies under the

Honorable Mark Lewis, Commissioner
Dept. of Community & Regional Affairs
File No. 366-384-83

March 29, 1983
Page 2

supplemental program. This option presumes, of course, that an underlying HUD grant is obtained. Alternatively, each authority may seek a direct legislative appropriation.

Please let us know if we can be of further assistance on this matter.

JBR:nd

RESOLUTION NO. 80-21
RESOLUTION ADOPTING BY-LAWS OF
BARANOF ISLAND NATIVE PUBLIC HOUSING AUTHORITY

BE IT RESOLVED BY THE Baranof Island Native Public Housing Authority:

That the following by-laws and they are hereby adopted and approved as and for the by-laws of the Baranof Island Native Public Housing Authority:

BY-LAWS OF
BARANOF ISLAND NATIVE PUBLIC HOUSING AUTHORITY

ARTICLE I. THE AUTHORITY

Section 1 - Name of Authority. The name of the Authority shall be "The Baranof Island Native Public Housing Authority".

Section 2 - Seal of Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3 - Office of Authority. The office of the Authority shall be at such place at Sitka, Alaska as the Authority may from time to time designate by resolution.

ARTICLE II. OFFICERS

Section 1 - Officers. The officers of the Authority shall be a Chairman, a vice Chairman, a Secretary and a Treasurer.

Section 2 - Chairman. The Chairman shall preside at all meetings of the Board of Commissioners (herein called "Board"). Except as otherwise authorized by resolution of the Board, the Chairman shall sign all contracts, deeds and other instruments made by the Authority. At each meeting, the Chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Authority.

Section 3 - Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman, the Vice Chairman shall perform the Chairman's duties until such time as a new Chairman is appointed.

Section 4 - Secretary. The Secretary shall keep the records of the Authority, shall act as secretary of the

meetings of the Board of Commissioners and record all votes, and shall keep a record of the proceedings of the Board in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his office. He shall keep in safe custody the seal of the authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Board. In the absence of both the Chairman and Vice-Chairman, the Secretary shall preside.

Section 5 - Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such depository as the Board may select. He shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Board. Except as otherwise authorized by resolution of the Board, all such orders and checks shall be countersigned by the Chairman. He shall keep regular books of accounts showing receipts and expenditures and shall render to the Board, at each regular meeting (or oftener when requested), an account of his transactions and also of the financial condition of the Authority. He shall give such bond for the faithful performance of his duties as is required. He shall submit a complete annual report, in written form, as required by the Tribal Ordinance No. 30-21 adopted 11/4/80

Section 6 - Executive Director. The Executive Director of the Authority shall be appointed by the Board. Subject to the direction of the Board, he shall have general supervision over the administration of the business and affairs of the Authority, and shall be charged with the management of its housing projects.

Section 7 - Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Board or the by-laws or rules and regulations of the Authority.

Section 8 - Election or Appointment. The Vice-Chairman, Secretary and Treasurer shall be elected at the Annual meeting of the Board of Commissioners from among the Commissioners, and shall hold office for one year or until their successors are elected and qualified.

Section 9 - Vacancies. Should the offices of Vice Chairman, Secretary or Treasurer become vacant, the Board shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Section 10 - Additional Personnel. The Authority may from time to time employ such personnel as it deems necessary to carry out its powers, duties and functions as

prescribed by law and tribal resolution. The selection and compensation of such personnel (including the Executive Director) shall be determined by the Board.

ARTICLE JII. MEETINGS

Section 1 - Annual Meeting. The annual meeting of the Board shall be held on the 4th day of November at 7 o'clock P.M. at the regular place of the Board, which place shall be designated by resolution. In the event such date falls on a Sunday or a legal holiday, the annual meeting shall be held on the next succeeding secular day.

Section 2 - Regular Meetings. Monthly meetings shall be held on the 15 day of every month at 7 o'clock P.M. at the regular meeting place of the Board. In the event such date falls on a Sunday or a legal holiday, the regular meeting shall be held on the next succeeding day. Regular meetings may be held without notice.

Section 3 - Emergency Meetings. The Chairman of the Board may, when he deems it expedient, and shall, upon the written request of two members of the Board, call an emergency meeting of the Board for the purpose of transacting any business designated in the call. Actual notice must be given to each member of the Board at least 24 hours prior to the time of such emergency meeting. At such emergency meeting no business shall be considered other than as designated in the call, and no action may be taken without the concurrence of three Commissioners, but if all of the members of the Board are present at an emergency meeting any and all business may be transacted at such meeting.

Section 4 - Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present except with respect to emergency meetings as provided in Section 3 of this Article, and with respect to the adoption of bond resolutions which require adoption by the vote of an absolute majority of the Board.

Section 5 - Order of Business. At the regular meeting of the Authority the following shall be the order of business:

1. Roll Call
2. Reading and approval of the minutes of the previous

meeting.

3. Bills and communications.
4. Report of the Secretary.
5. Report of the Treasurer.
6. Reports of Committees.
7. Unfinished business.
8. New business.
9. Adjournment.

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 6 - Manner of Voting. The voting on all questions coming before the Board shall be by roll call, and the yeas and nays shall be entered upon the minutes of such meeting, except in the case of elections when the vote may be by ballot.

ARTICLE IV. AMENDMENTS

Section 1 - Amendments to By-Laws. The by-laws of the Authority shall be amended only with the approval of at least three Commissioners at any Board meeting provided that at least seven days written notice thereof has been previously given to all Commissioners.

Commissioner FRED LEWIS moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner ALFRED PERKINS. The question being put upon the final adoption of said resolution, the roll was called with the following result:

Ayes: 7

Nays: 0

The Chairman declared such motion carried and the resolution finally adopted.

A corporate seal was then submitted to the meeting. The following resolution was then introduced by Commissioner Lewis, read in full by the Temporary Secretary, and considered by the Authority:

RESOLUTION NO. 80-22
RESOLUTION ADOPTING SEAL OF
BARANOF ISLAND NATIVE PUBLIC HOUSING AUTHORITY

BE IT RESOLVED BY The Baranof Island Native Public Housing Authority:

1. That the seal submitted to this meeting is hereby adopted as the seal of this Authority and the Temporary Secretary of this Authority is hereby authorized and directed to imprint said seal on the margin of the minutes opposite this resolution.

2. That the Secretary is hereby authorized to affix the seal of the Authority to all appropriate papers.

Commissioner FRED LEWIS moved that said resolution be finally adopted as introduced and read. The motion was seconded by Commissioner ALFRED PERKINS. The question being put upon the final adoption of said resolution, the roll was called with the following result:

Ayes: 7

Nays: 0

The Chairman declared such motion carried and the resolution finally adopted.

The Chairman announced that it was in order to elect the officers of the Authority to serve until the next annual meeting or until their successors are chosen and qualify in their stead.

Commissioner Thomas and _____ having been nominated to the office of Vice Chairman, upon motion made, seconded, and adopted, the nominations were closed. A vote being taken, Commissioner Thomas was declared by the Chairman to be elected to the office of Vice Chairman.

Commissioner Perkins and _____ having been nominated to the office of Secretary upon motion made, seconded, and adopted, the nominations were closed. A vote being taken, Commissioner Perkins was declared by the Chairman to be elected to the office of Secretary.

Commissioner Williams and _____ having been nominated to the office of Treasurer upon motion made, seconded and adopted, the nominations were closed. A vote being taken, Commissioner Williams was declared by the Chairman to be elected to the office of Treasurer.

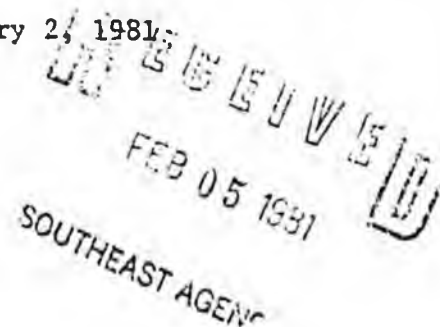


United States Department of the Interior

OFFICE OF THE SOLICITOR
ANCHORAGE REGION
510 L Street, Suite 408
Anchorage, Alaska 99501

IN REPLY REFER TO:

February 2, 1981



Memorandum

To: Superintendent, Southeast Agency
Juneau, Alaska

From: Bruce Landon, Attorney-Advisor

Subject: Baranof Island Native Public Housing Authority

I have reviewed the package of materials relating to the formation of the Baranof Island Native Public Housing Authority (BINPHA) by the Sitka Community Association (SCA), a tribe of Alaska Natives organized pursuant to the Indian Reorganization Act (IRA), and believe that the SCA does have the authority to create such a body (subject to approval of the BIA and HUD). The resolutions contained in the package appear to meet HUD requirements, except that they do not include the General Certificate of Housing Authority required by 24 CFR § 805.108(f)(9). Although the BIA approves only the ordinance itself, the approval of BINPHA will be speeded up if the package submitted to HUD is complete. I have already brought the omission to the attention of SCA.

BINPHA differs from many Indian Housing Authorities (IHA) in that SCA does not have a reservation or tribal trust lands. Neither of these facts constitutes an impediment to the formation of a housing authority.

43 USC § 1437a(6) defines "public housing authority" as "any state, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing." The term "State" includes "Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos" (42 U.S.C. § 1437a(7)). Neither definition distinguishes between reservation and non-reservation tribes. HUD regulations on the establishment of IHA's provide:

(b) Legal capacity of tribe to establish IHA. Where an Indian tribe has governmental police power to promote the general welfare, including the power to create a housing authority, an IHA may be established by tribal ordinance enacted by the governing body of the tribe. 24 CFR § 805.109(b).

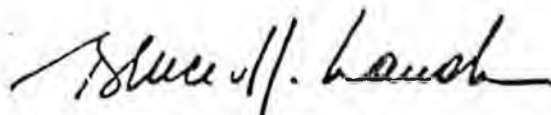
IRA councils in Alaska are Indian tribes. Alaska Natives have normally been organized by village rather than by some larger unit such as is common in the Lower 48. Nonetheless, the Department recognized Native groups in Alaska as tribes with police powers over their members even

before passage of the IRA. 54 I.D. 39 (1932) (upholding the validity of marriage by custom among Natives whether on or off reservations). The extension of the IRA to Alaska in 25 U.S.C. 473a takes the unique organizational structures of Alaska Natives into account by providing that Natives "having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, [may] organize and . . . adopt constitutions and by-laws and . . . receive charters of incorporation" under sections 16 and 17 of the IRA, 25 U.S.C. §§ 476, 477. Section 16 provides that such councils have certain enumerated powers plus "all powers vested in any Indian tribe or tribal council" by existing law. We may refer to the SCA constitution for the types of police powers exercised by the SCA. The preamble states that the constitution was established "to promote our welfare through the development and operation of social and economic enterprises." The SCA Tribal Council exercises all the powers of the SCA. SCA Constitution, Article III. Among these are the authority to organize and charter associations of its members for economic purposes and to regulate the same. SCA Constitution, Article IV, section 1(e). The Tribal Council may also negotiate with the Federal and State governments on behalf of the SCA. I therefore conclude that the SCA Tribal Council has the police power to promote the general welfare of its members by creating a housing authority.

HUD regulations prescribe the form of the tribal ordinances establishing housing authorities. 24 CFR § 805.109(d); Appendix I, 24 CFR Part 805. The "whereas" clauses of the present ordinance differ in format from the authorities clause in Appendix I, but the contents of the two are essentially the same. Otherwise, the ordinance appears to follow Appendix I word for word. I therefore believe that the BIA may approve the tribal ordinance.

I would point out that the formation of a housing authority is only the first step towards getting housing constructed. HUD builds housing only on tax-free land. Further, HUD has certain housing code requirements. It is therefore likely that the housing authority will have to enter into agreements with the State and localities on these subjects before construction can commence. The fact that BINPHA will encounter hurdles not encountered by reservation tribes with trust land does not negate the conclusion that a housing authority can properly be established. Once established, the authority can attempt to work out the necessary agreements. I believe from my contacts with SCA that they are aware of the hurdles to be faced after the authority is established. Nonetheless, it may be appropriate for the BIA to communicate to the SCA when it approves the ordinance that hurdles remain and that establishment of an IHA does not guarantee that HUD housing can be built.

If I can be of further assistance, let me know.



Bruce M. Landon
Attorney-Advisor

Linn Asper -
Pls to L&C-CS

CSHB302 (Finance) am

Language to add to HB302:
make this sec. eff. imed.

Sec. AS 18.55.996 (a) is amended by
adding a new paragraph to read:
(14) Sitka Community Association (Baranof Island)

(takes effect immediately in accordance with
AS 01.10.070(c))

Memo coming from Linn Asper stating
that this can go on HB302
without a title change.

HB302

13-1435
Asper
5/24/83

1 IN THE SENATE

BY ELIASON

2 SENATE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to regional Native housing authori-
7 ties; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18.55.996(a)(10) is amended to read:

10 (10) Tlingit-Haida Central Council or Alaska Native Brother-
11 hood (Southeastern Alaska other than Baranof Island, including Metla-
12 katla)

13 * Sec. 2. AS 18.55.996(a) is amended by adding a new paragraph to read:

14 (14) Sitka Community Association (Baranof Island)

15 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).

17
18
19 Eric Morrison

20 Baranof Island Housing Authority

21 Box 4360

22 Mt. Edgecumbe, AK 99835

23
24
25 747-3207

26
27
28
29 HUD in Anch.
Charles Leo
271-4629

STATE OF ALASKA THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

May 25, 1983

SUBJECT: Inclusion of regional Native housing
authority provisions in HB 302
(Work Order No. 13-1435)

TO: Senator Richard I. Eliason
Chairman, Senate Labor and
Commerce Committee

FROM: *CHA* Linn H. Asper
Legislative Counsel

You have asked if the statutory changes you requested regarding regional Native housing authorities (AS 18.55.996) can be added to a Senate Labor and Commerce Committee substitute to CSHB 302 (Finance). Since the title of the bill cannot be changed to accommodate the new material (Uniform Rule 24(c)) the question is whether or not the title of the bill as passed by the House of Representatives covers the proposed addition under applicable state constitutional requirements. The title of the House passed version of the bill is "An Act relating to state housing loan and state alternative technology loan programs; and providing for an effective date." For your purposes, the relevant part of the title is "relating to state housing loan . . . programs". It is my opinion that the regional Native housing authority program is arguably a "state housing loan program" making inclusion of your new material permissible under the single subject and descriptive title requirements of the Alaska Constitution (Article II, section 13). The regional housing authorities have been created to administer both state and federal housing loan money. In particular you should note that the housing authorities can make loans under the Department of Community and Regional Affairs' rural housing loan program (AS 18.55.997). In this sense it is not reaching too far to describe the regional Native housing authority program as a "state housing loan program". For what it is worth, the title of Chapter 113, SLA 1982 is, in relevant part, "An Act relating to certain state loan and grant

Senator Richard I. Eliason
Page 2
May 25, 1983

programs . . . " and contains an amendment to the regional housing authority statute.

While it would be better practice to change the title of the bill to clarify your proposed addition, this is not possible under the Uniform Rules and I believe you may properly add the material without changing the title.

LHA:ljb
21/026

WORK ORDER REQUEST FORM

N13-1485

KEYWORDS: housing

ASSIGNED TO Asper

REQUEST FOR: BILL RESOLUTION RESEARCH OTHER

SUBJECT Regional Housing Authorities

REQUESTED FOR Sen. Eliason BY Mary Ryan EXT. 4916

* DELIVER TO Senator Eliason TAKEN BY Cook

INSTRUCTIONS, EXPLANATIONS _____

Add Haranoff Island Housing Authority to list of regional housing authorities established in the state.

(Also check to see if this can be attached to any existing bills and call Mary on this.)

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

TO REQUESTER

APPROVED: ASB Director, Legal Services

REVIEWED _____

IN 5/24/53 DUE _____

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

TELEGRAM

ALASCOM, INC.
PHONE: 586-6442
JUNEAU, AK 99802

06005 TDJU SITKA ALASKA 54 05-25 1153A PDT

PMS SENATOR RICHARD ELIASON

POUCH 4

4693

JUNEAU AK 99811

SENATOR ELIASON:

THE SITKA COMMUNITY ASSOCIATION RESPECTFULLY REQUESTS YOUR
ASSISTANCE TO AMEND ALASKA STATUTE 1.55.996 AS FOLLOWS:

ADD A PARAGRAPH TO INCLUDE THE SITKA COMMUNITY
ASSOCIATION (BARANOF ISLAND HOUSING AUTHORITY)
TO THE LIST OF ASSOCIATIONS AUTHORIZED TO FORM
NATIVE HOUSING AUTHORITIES.

THANK YOU VERY MUCH FOR YOU SUPPORT ON THIS MATTER.

WILLIAM H. BRAD, PRESIDENT
SITKA COMMUNITY ASSOCIATION

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

June 16, 1983

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

POSITION PAPER

RE: CSHB 302 (L&C)

SPONSOR: The House Special Committee on State Loans

Program Effects of Bill

Section 12 creates a revolving loan fund in the division. The creation of a revolving loan fund will permit the division to retain principal and interest payments received from borrowers. The revolving loan fund, in time, will reduce future capital budget requests.

Section 13 creates within the division a Home Ownership Assistance Fund. The creation of this fund, and the subsidy it provides will assist low and moderate income persons in purchasing single family homes. The impact, both fiscal and in activity will be tremendous. The subsidy fund will allow persons who ordinarily would not qualify for a housing loan to do so. The division expects to expend approximately 25% of its loan fund allocation in this area.

Section 14 permits a borrower, who has outstanding non owner-occupied housing loan, to apply for an owner-occupied housing loan. The passage of HB 305 will correct an injustice now imposed on borrowers holding an outstanding non owner-occupied housing loan.

Section 15 requires that the Housing Assistance Division not finance mortgage for rental housing unless the borrower agrees not to discriminate against tenants or prospective tenants because of sex, marital status, changes in marital status, pregnancy, parenthood, race, religion, color, national origin, or status as a student.

Section 16 sets the interest rate for nonconforming urban housing loans 1/4% higher than the taxable bond rate as determined by Alaska Housing Finance Corporation (AHFC). In addition, Section 16 sets the interest rate for rural housing loans 1% lower than the taxable bond rate as determined by AHFC. Setting the rural rate 1% lower than AHFC's rates will increase demand for rural loans provided by the division .

Section 17 makes it mandatory for the Housing Assistance Division to have an Annual Report prepared and transmitted to the governor and the Legislature by January 10 or each year.

Section 18 of this bill re-defines the definition of rural as applied to the rural owner occupied and rural non-owner occupied programs.

Section 20 repeals the law mandating an 80%/20% split in loan fund allocations for nonconforming housing loans. Currently rural Alaska receives 80% of the funding. Section 10 will also allow the division to allocate nonconforming funds in a more productive manner. This section also repeals a second definition of rural.

Section 22 provides an effective date for Sections 12, 14-17, 20-22.



Mark Lewis, Commissioner

STATE OF ALASKA
FISCAL NOTE

Revision Date 6/16, 1983

I. REQUEST

Bill/Resolution No.: CS for HB 302
 Title: State Housing Loans
 Sponsor: House Special Commte./Loans
 Requestor: Senate Finance

II. FISCAL DETAIL

Agency Affected: Comm. & Reg. Affairs
 Program Category Affected: Development
 BRU, Program of Subprogram(s) Affected: Housing Assistance

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		141	193	205	217	230
200 TRAVEL		41	44	46.1	48.9	51.8
300 CONTRACTUAL		12	13	13.5	14.3	15.2
400 COMMODITIES		29	31	32	33	34
500 EQUIPMENT		3	3	3.3	3.5	3.7
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		226	284.1	299.9	316.7	334.7
Annual Subsidy		650	1,000	1,200	1,350	1,700
CAPITAL		15,650	31,650	37,850	44,200	50,700
Subsidy (Cumulative)		650	1,650	2,850	4,200	5,700
REVENUE		350	2,150	4,250	6,650	9,350
Revenue (Annual)		350	1,800	2,100	2,400	2,700

FUNDING: (Thousands of Dollars)

GENERAL FUND		15,650	31,650	37,350	44,200	50,700
FEDERAL FUNDS						
OTHER (Specify Source)						
Program Receipts		226	284.1	299.9	316.7	334.7

POSITIONS:

FULL-TIME		5	5	5	5	5
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: B. Morse-Quinn/R. Price
 Division: Housing Assistance Division
 Approved by Commissioner: [Signature]
 Department: Community & Regional Affairs

Phone: 272-45-4585
 Date: 6/16/83
 Date: 6/16/83

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83



ALASKA STATE SENATE

M E M O R A N D U M

DATE: June 7, 1983
TO: Senator Patrick Rodey
FROM: Jim Kelly *JK*
RE: Sectional Summary of SCS CS HB 302(L&C)

Section 1: Provides for the creation, in Sitka, of a new regional native housing authority, with duties and powers comparable to those held by ASHA.

Section 2: Provides for the creation in AHFC of an Alaska housing finance revolving fund. The establishment of this fund in AS 18.56 gives the corporation statutory authority to continue reinvesting previously appropriated funds, and the earnings on them, in housing loans. This conforms the law with the action taken earlier this session when the legislature approved the appropriation to AHFC in House Bill 336.

Section 3: Provides additional accountability to AHFC by adding language to the section of law which requires the corporation to abide by the Executive Budget Act. The new language would require AHFC to present to the legislature, each year, an audited and complete accounting of the Alaska housing finance revolving fund. This is intended to ensure that budgetary decision-makers have full information on which to make annual budget decisions regarding the corporation.

Sections 4-6: Increase the maximum allowable loan amounts for AHFC-financed first and second mortgage loans for single family homes by 10 percent. Existing loan amount limitations on duplexes, triplexes and four-plexes remain the same. In addition, tenent discrimination is prohibited in AHFC-financed rental units.

Sections 7-8: Rewrite the interest rate language in AHFC. Makes no substantive change in existing subsidy, i.e., the subsidized rate continues to float three percent below cost of funds, except that it may not be less than 10 percent. The change updates the statutes and removes superfluous wording.

Section 9: Corrects the constitutionally-deficient language in AS 18.56 relating to the eligibility of veterans to receive the one percent discount under the SAM program, by removing residency requirements.

Section 10: Makes optional, not mandatory, the requirement that AHFC retain a financial advisor each time it issues bonds.

Section 11: Provides that AHFC may lend money to Alaska's congressional delegation to purchase homes in the District of Columbia, or anywhere within 50 miles of D.C.

Section 12: Makes the Housing Assistance Loan Fund a revolving fund. With this language in place, the Division of Housing Assistance, like AHFC, will be able to reinvest previously appropriated funds, and the earnings on them, in housing loans.

Section 13: Creates a new program in the Division of Housing Assistance to aid rural persons of lower or moderate income to purchase single family homes. This program would be virtually identical to one already in existence in AHFC: the HOF program.

Section 14: Provides that a person may qualify for both an owner-occupied state housing loan and a non-owner occupied housing loan under AS 44.47.520.

Section 15: Prohibits discrimination against tenants in HUD-financed rental units.

Section 16: Changes existing interest rates on rural and non-conforming loans. Rural rates decrease from a fixed 10.5 percent to a floating rate one percent less than that of AHFC. Nonconforming rates increase to one quarter percent more than that of AHFC.

Section 17: Adds a new section to AS 44.47 to require the Division of Housing Assistance to prepare annual reports for the legislature, the governor and the public.

Section 18: Broadens the definition of rural for the purposes of AS 44.47 to include some Alaskan communities which had previously been excluded, e.g. Tok, Willow and Haines.

Section 19: Provides that loans for coal and multi-fuel central heating systems may be made under the Alternative Technology and Energy Loan Program in the Department of Commerce and Economic Development.

Section 20: Repeals language relating to the now-defunct "Rogers Ratchet" in AHFC, and language in AS 44.47 which requires the Division of Housing Assistance to allocate nonconforming on a 80/20 basis between rural and urban areas in the state.

Sections 21-22: Effective dates.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

distributed by
Senator Ray

FOURTH FLOOR STATE OFFICE
LEGISLATIVE BUILDING
607 NORTH BROADWAY
ANCHORAGE, ALASKA 99501

MEMORANDUM

May 13, 1983

SUBJECT: Receipts of revolving loan funds
TO: Senator Bill Ray
FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have asked whether the receipts of a revolving loan fund must be appropriated to the fund in order for the receipts to be available for the purpose of the fund.

In my opinion an appropriation is not necessary.

Section 7 of Article IX of the Constitution of the State of Alaska provides:

DEDICATED FUNDS. The proceeds of any state tax or license shall not be dedicated to any special purpose, except as provided in section 15 of this article or when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this section by the people of Alaska.

Under the plain language of the prohibition it does not reach all public revenues but only the proceeds of a state tax or license. However, this interpretation, which in my opinion was the correct reading of the prohibition was flatly rejected by our Supreme Court in State v. Alex, 646 P.2d 203 (Alaska 1982).

In Alex the holding on the prohibition of dedicated funds rested on a quotation from a 1975 Attorney General opinion which read:

"Section 7 of Article IX of the state Constitution can be given its intended effect and serve its repeatedly

expressed purpose only if the words 'proceeds of any tax or license' are interpreted to mean what their framers clearly intended, i.e., the sources of any public revenues.

"Accordingly, it is our conclusion that the dedication of any source of public revenue: tax, license rental, sale, bonus-royalty, royalty, or whatever is limited by the state Constitution to those existing when the Constitution was ratified or required for participation in federal programs."

The analysis by the Court and the analysis in the opinion the Court quoted with approval both rely on the minutes of the constitutional convention for their conclusion.

The original proposal of the committee for this section read in relevant part "all revenues shall be deposited in the state treasury without allocation for special purposes."

However, this language led to certain problems. The Public Administration Service which was the consultant to the convention advised that certain exceptions were required. The committee then proposed language changing the wording from "all revenues" to "The proceeds of any state tax or license". The committee report accompanying the change read:

Section 8: The intended purpose of this section to prohibit the earmarking of certain revenues for special purposes is certainly laudable. It is doubtful, however, that a strict interpretation of this provision could be applied. Legal and contractual provisions will require the segregation of certain moneys, e.g., pension contributions, proceeds from bond issues, sinking fund receipts, revolving fund receipts, contributions from local government units for state-local cooperative programs, and tax receipts which the state might collect on behalf of local government units.

In Alex the Court commented on the change saying:

Under the original, all-inclusive prohibition of the dedication of "all revenues," there is no doubt that it was intended to prohibit any and all dedications. The committee intended it to prohibit not only the dedication of taxes, but also such revenue as the proceeds from the sale of state lands. See 3 Alaska Const. Conv. Proceed. 2317-19. The committee's spokesman

stated that the purpose of the proposed amendment was to allow for the setting up of certain special funds, such as sinking funds for the repayment of bonds, but to prohibit the earmarking of any special tax to that sinking fund. 4 Alaska Const. Conv. Proceed. 2363. Thus, the change did not seek to exempt some sources of revenue from the prohibition, but was intended instead to allow necessary dedication of funds once they were received and placed in the general fund. 1975 Alaska Op. Atty. Gen. No. 9 at 10 (May 12). Review of the convention discussion shows that the amendment was not intended to limit the prohibition of earmarking.

It is clear from the minutes of the convention that a change was intended when the language "all revenues" was changed to read "The proceeds of any state tax or license". The Court has expressly recognized this. The Court did not expressly find the extent of the change although relying on the history it found the change to be narrow.

In my opinion the narrowest possible construction that can be made which is logically consistent with the history is that the intent was to eliminate the need for the specific exceptions the committee was concerned with. Since that history is the only basis for the Alex decision in my opinion at least the specified exceptions are not subject to the prohibition on dedication. Revolving loan fund receipts are one of the specified exceptions. Therefore in my opinion these receipts are not subject to the prohibition.

An Attorney General's opinion on the subject dated November 30, 1982, came to essentially the same conclusion. In that opinion the Attorney General said:

"IV. POSSIBLE EXCEPTIONS TO THE DEDICATED FUND PROHIBITION

"A. Implied Exceptions.

"An early draft of what is not Article IX, section 7 (but which was at that time numbered section 8) read as follows: 'All public revenues shall be deposited in the state treasury . . .' Subsequent to this early draft, the Committee on Finance and Taxation of the Constitutional convention requested comments from the Public Administration Service on this wording. The PAS responded with the January 4, 1956 memorandum in which it warned that a strict interpretation of section 7

(then section 8) would prohibit the segregation of state money without regard to the source. The PAS then suggested that certain exceptions be identified in section 7. These exceptions included pension contributions, proceeds from bond issues, sinking fund receipts, revolving fund receipts, contributions from local government units for state-local cooperative programs, and tax receipts which the state might collect on behalf of local government units.

"After considering the PAS memorandum, the committee deleted the phrase 'all public revenues shall be deposited . . .' and substituted the phrase 'The proceeds of any state tax or license . . .'. 3 Alaska Const. Conv. Proceed. at 2361. The record of the committee debate makes it clear that the purpose of this change was to meet the problems raised by the PAS in its January 4 memorandum. See 1975 (0, Atty. Gen. No. 9 at 8 (Alaska, May 2, 1975)).

"Given this drafting history, a very good case can be made that the present language of Article IX, section 7 must be read to include certain implied exceptions, such as those that are set out in the January 4 PAS memorandum, i.e., pension contributions, proceeds from bond issues, sinking fund receipts, revolving fund receipts, contributions from local government units for state-local cooperative programs, and tax receipts which the state might collect on behalf of local government units. We believe this implied exception approach is the better interpretation of the dedicated fund prohibition and would be adopted by the Alaska Supreme Court if the question is presented to it.

In my opinion it is not necessary to appropriate the receipts of a revolving loan fund to the fund in order for the receipts to be used for the purpose of the fund.

BGB:ljb
19/031

According to ^{Col. Hoyt} Jo Clemenson
of the Alaska National Guard

Alaska Naval Militia became
inactive in early seventies.

Working with Navy to
reestablish Naval Militia

(Valdez, Kodiak)

Senate Labor and Commerce CS
for CSHB 302(Fin)am

page 3, line 29

Delete "the Alaska Naval Militia,"

Add a new section (was in CSHB 302(Loans) and formerly placed between Sections dealing with Independent Financial Advisor and Housing Assistance Loan Fund, Sections 7 and 8 respectively of CSHB 302(Fin)am. Placement left to your discretion:

"Sec. ____ AS 18.56. is amended by adding a new section to read:

Sec. 18.56.205. RESIDENTIAL MORTGAGE ASSISTANCE FOR MEMBERS OF THE ALASKA DELEGATION TO CONGRESS. The corporation may extend the special mortgage loan purchase program (AS 18.56.098) to purchase a mortgage loan made for the purchase or rehabilitation of a residence located in the District of Columbia or within 50 miles of the District of Columbia to a member of the United States Congress from Alaska if the member is otherwise qualified for assistance under the special mortgage loan purchase program."

And attached amendments

1.5[#]2

Amendment # 1 by Rodey

Add a new Section 2 to read:

* Section 2 AS 18.56.089 is amended to read:

ANFC

Sec. 18.56.089 EXECUTIVE BUDGET ACT. The operating budget of the corporation is subject to the Executive Budget Act (AS 37.07) for fiscal years beginning after June 30, 1981. In addition, to further ensure effective budgetary decision-making by the legislature, the corporation shall present to the legislature by January 10 of each year, a complete accounting of the Alaska housing finance revolving fund. This accounting shall be audited by an independent outside auditor and shall include a full description of all mortgage loan interest and principal repayments and program receipts, including, without limitation, mortgage loan commitment fees, received by or accrued to the corporation during the preceding fiscal year, and all income earned on assets of the corporation during that period, including, without limitation, earnings on assets of the state assisted mortgage fund.

Add a new section 13 to read:

* Section 13 AS 44.47 is amended by adding a new section to read:

HAD

Sec. 44.47.530 ANNUAL REPORT. (a) The division shall prepare and transmit annually a report accounting to the governor and the legislature for the efficient discharge of all responsibility assigned by law or directive to the division.

(b) By January 10 of each year, the director shall publish a report of the division for distribution to the governor, the legislature and the public. The report shall be written in easily understandable language, shall consider the assigned duties of the division, and shall include: (1) a financial statement audited by an independent outside auditor;

(2) a statement of the division's loans under this chapter including an appraisal of the loans at market value;

(3) a description of the division's loan activities during the period covered by the report;

(4) a comparison of the division's goals with actual performance during the period covered by the report;

(5) a description of the division's loan portfolio by region within the four judicial districts of the State; and

(6) any other information the director believes would be of interest to the governor, the legislature and the public.

Add a new Section 1 to read:

* Section 1. AS 18.56 is amended by adding a new section to read:

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HAFC

Sec. 18.56.082. ALASKA HOUSING FINANCE REVOLVING FUND. The Alaska housing finance revolving fund is established in the corporation. The revolving fund consists of appropriations made to the revolving fund by the legislature, money or other assets transferred to the revolving fund by the corporation, repayments of principal and interest on loans made or purchased by the corporation, and the earnings on all other investments of the corporation that are not pledged to the payment of bonds or required, under agreements with bondholders, to be otherwise held or disposed of. Amounts deposited in the revolving fund shall be expended for the purposes of the corporation, set out in this chapter.

Amend Section 8, lines 15 - 18 to read:

HAD

Sec. 44.47.380. Housing Assistance Loan Fund. There is created in the Department of Community and Regional Affairs, as a revolving loan fund, the housing assistance loan fund consisting of money appropriated to it by the legislature and repayments of principal and interest on loans made or purchased from the assets of the fund. [INTEREST ON LOANS MADE OR PURCHASED FROM THE ASSETS OF THE FUND MUST BE TRANSFERRED TO THE DEPARTMENT OF REVENUE FOR DEPOSIT IN THE GENERAL FUND.]

Amendment # 3 by Rodey

THE AIDA AMENDMENT

Add new sections to the bill to include all of SB 253 with the exception of Section 2 of that bill.

Not
adopted

Discussion of Proposed Amendments to HB 302/Rodey

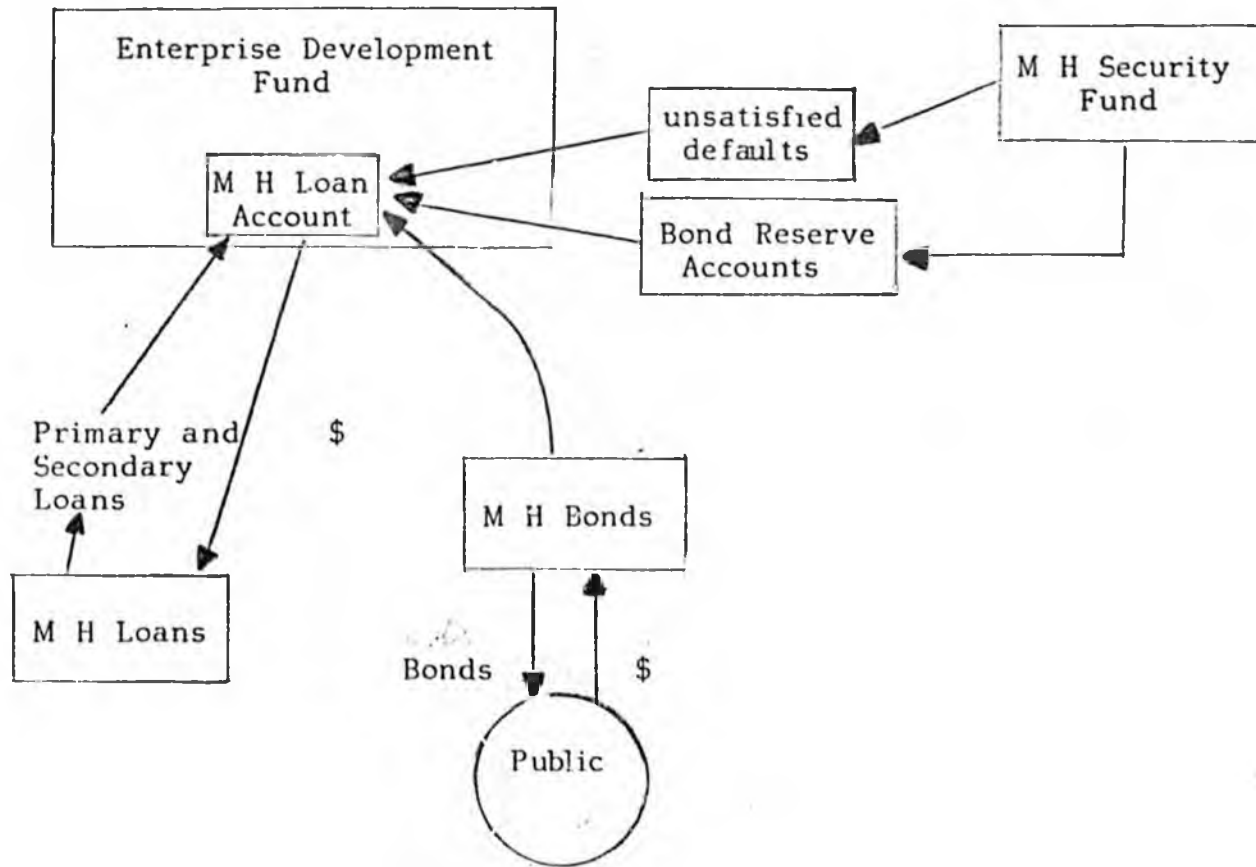
The purpose of amendment # 1 is to increase/improve the accountability of AHFC and HAD. The AHFC language is added to the Executive Budget Act section of AS 18.56, first to reinforce that AHFC is already under that control; secondly, to emphasize that the legislature can, indeed, make decisions about AHFC based on all available information (no secret funds); and third, to perhaps provide a further line of defense against any possible constitutional attack on the AHFC assets. Most of the language is pulled directly from HB 336 which the Legislature already passed this year in an appropriation bill. This simply puts it into statute.

The HAD language requires that HAD, like AHFC, AMBBA, AIDA, ARC, the APA, etc, present an annual report to the legislature.

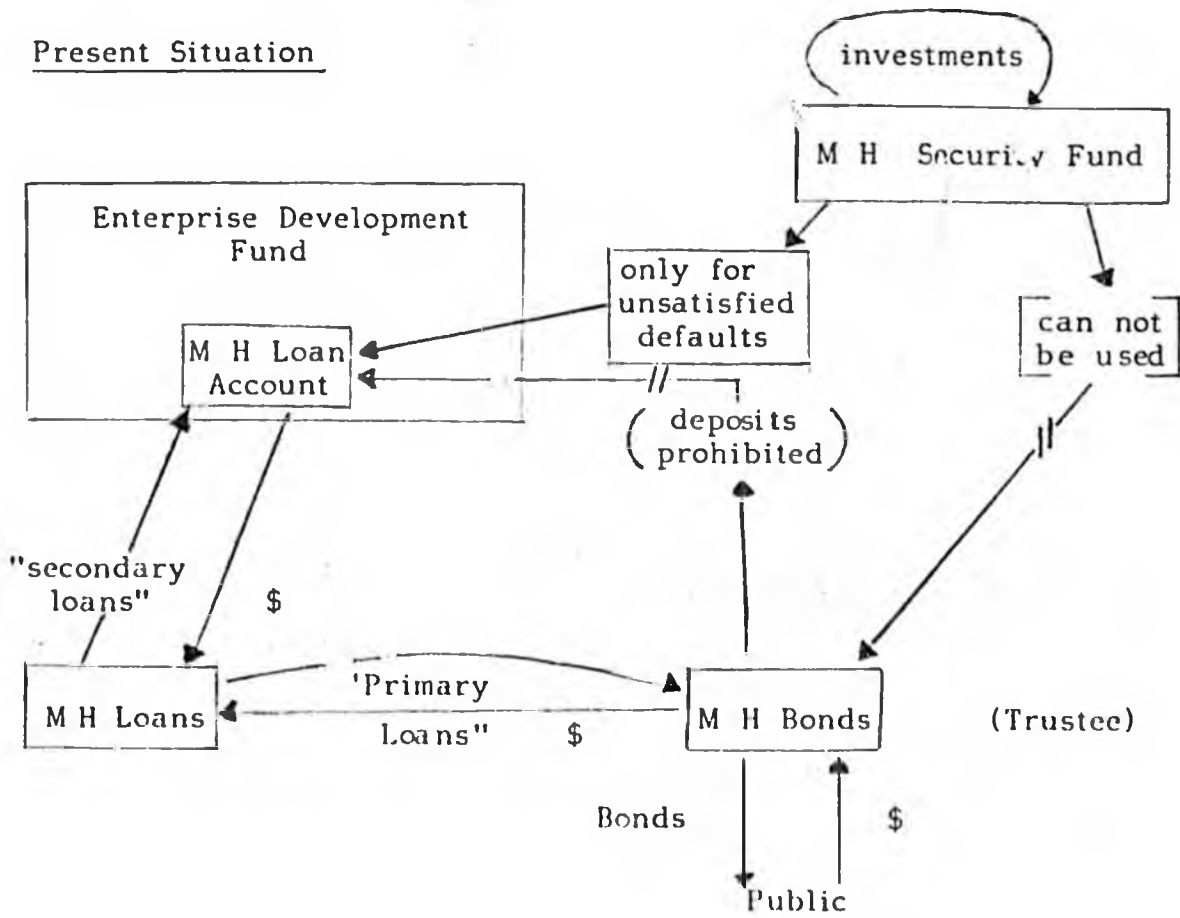
Amendment # 2 makes bothe AHFC and HAD revolving with principal and interest repayments returning to the funds. If HAD does not receive the interest, we will not have a revolving fund, because 'n the early years, all it will be receiving is interest repayments.

The idea of AHFC as revolving is not new; that was the original intent in 1980; we just passed HB 336 accomplishing it again; and a bill to do that was introduced in the last legislature by Bennett Farhrekamph and Parr.

Proposed Situation



Present Situation



302 TITLE & SPONSOR SUMMARY

INDEXED TITLE: SCS CSND 302(RLS)
ACT RELATING TO STATE HOUSING LOAN AND STATE ALTERNATIVE
TECHNOLOGY LOAN PROGRAMS,
PROVIDING FOR AN EFFECTIVE DATE

THE SPONSOR: HOUSE SPECIAL COMMITTEE.
GENERAL DOLLARS: \$0 (F. NOTE)
OTHER DOLLARS: \$5,007,300

CO-SPONSORS:
CURRENT STATUS: 7/27/83 CHAPTER 0102 CLA 03

DATE	SEQ	PAGE	ACTION
5/29/83	01	0669	FIRST READING -- COMMITTEE REPORTS
6/15/83	02	0873	C&RA -- CS05, NR01
6/15/83	03	0873	C&RA F/NOTE EQUALS ZERO
6/05/83	04	1170	LOAN -- CS04
6/05/83	05	1191	LOANS F/NOTES USE SUPPL #55
6/20/83	06	1444	FIN -- CS10 TAKEN UP IMMEDIATELY
6/20/83	07	1444	FIN F/NOTE USE SUPPL #64
6/20/83	08	1440	SECOND READING
6/20/83	09	1440	FIN CS ADOPTED BY UNAN CONSENT
6/20/83	10	1449	AM01 NOT ADOPTED BY DIV 04-33-03
6/20/83	11	1452	AM02 NOT ADOPTED BY DIV 17-21-02
6/20/83	12	1453	AM03 ADOPTED BY DIV 23-16-01
6/20/83	13	1453	ADVANCED TO 3RD READING BY UNAN CONSENT
6/20/83	14	1453	THIRD READING
6/20/83	15	1453	PASSED BY DIV 20-00-01
6/20/83	16	1454	EFFECTIVE DATE VOTE SAME AS PASSAGE
6/20/83	17	1454	NOTICE OF RECONSIDERATION GIVEN
6/21/83	18	1481	RECONSIDERATION NOT TAKEN UP
6/26/83	21	2107	CONCURRED IN SENATE AND BY DIV 20-11-00

6/26/83	30	2107	EFFECTIVE DATE VOTE SAME AS PASSAGE
7/05/83	35	2179	TRANSMITTED TO GOVERNOR
7/21/83	37	2179	SIGNED BY GOVERNOR CHOICE, EFF 00/00/00
7/27/83	38	2179	EFFECTIVE DATE SECS. 1-12, 07/20/83
7/27/83	39	2179	EFFECTIVE DATE SECS. 14-20, 07/20/83
7/27/83	40	2179	EFFECTIVE DATE SECS. 22-2, 07/20/83
7/27/83	41	2179	EFFECTIVE DATE SECS. 13&21, 01/01/84

DATE	SEQ	PAGE	ACTION
6/23/83	1	1070	FIRST READING -- COMMITTEE REPORTS
6/09/83	20	1243	L&C -- CS02, BR03
6/20/83	31	1301	FIN -- CS04, NR01
6/20/83	32	1306	FIN CARRIES SEN SUPPL #41
6/23/83	33	1358	FIN F/NOTE SEN SUPPL #42
6/23/83	34	1358	FIN -- CS04, NR01, CS03, OTHERS
6/23/83	35	1358	TAKEN UP IMMEDIATELY
6/23/83	36	1358	SECOND READING
6/23/83	37	1358	FIN CS ADOPTED BY UNAN CONSENT
6/23/83	38	1358	AM01 NOT ADOPTED BY DIV 04-33-03
6/23/83	39	1358	AM02 NOT ADOPTED BY DIV 17-21-02
6/23/83	40	1358	AM03 ADOPTED BY DIV 23-16-01
6/23/83	41	1358	ADVANCED TO 3RD READING BY UNAN CONSENT
6/23/83	42	1358	THIRD READING
6/23/83	43	1358	PASSED BY DIV 20-00-01
6/23/83	44	1358	EFFECTIVE DATE VOTE SAME AS PASSAGE

COMMITTEE REPORT

SENATE

FURTHER: ESTABLISH

122/03

Date: _____

Mr. President:

The Committee on LABOR & HUMAN RESOURCES has had CSHR 302 (P.H.R.)

Trade Union Ship Index and Labor Informativ Technology Loan Program, 1971

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Alaska State Legislature

POUCH V
JUNEAU, ALASKA 99811
907/465-4821



REPRESENTATIVE RICK UEHLING
CHAIRMAN
REPRESENTATIVE WALT FURNACE
REPRESENTATIVE NILO KOPONEN
REPRESENTATIVE JERRY WARD
REPRESENTATIVE RON WENDTE

House Special Committee on
State LoansMEMORANDUM

TO: Representative Rick Uehling
FROM: Bill Lovell, Staff
DATE: May 20, 1983

RE: CSHB 302 (Finance) AmH

For your convenience, I have analyzed the Finance Committee Substitute for House Bill 302, Amended House.

Sections 1 - 3 increase the amount of money that may be loaned for single-family residences under AHFC loan programs, from the current FNMA limits (at the present, \$160,000) to 10 percent above those limits. Sections 1 and 2 make it clear that no change is made to loan limits for duplex, triplex, or four-plex housing.

Section 4 repeals the "Rogers' Ratchet" and replaces it with similar, but more concise language.

Section 5 clarifies the method in which AHFC will determine the effective interest rate for loans purchased with funds obtained from program receipts, interest income, and fees.

Section 6 removes the residency requirement for eligibility for veterans' interest rates and changes eligibility requirements for national guard members and reservists.

Section 7 makes the hiring of a financial advisor for an AHFC bond sale permissive instead of mandatory.

Section 8 makes technical amendments to the housing assistance loan fund in the Department of Community and Regional Affairs to make it clear that the fund is a revolving fund, and that principal payments from housing loans are returned to the fund.

Section 9 establishes a home ownership assistance fund in the Department of Community and Regional Affairs to assist

lower and moderate income Alaskans to purchase homes under the community and regional affairs nonconforming and rural housing programs. The maximum subsidy available under the new fund is the amount that reduces the effective interest rate for a borrower to six percent. The maximum amount of a loan that can be subsidized from the fund is \$120,000.

Section 10 allows a person to have both a nonconforming or rural housing loan and a nonowner-occupied housing loan under the housing loan programs of the Department of Community and Regional Affairs.

Section 11 prohibits the Department of Community and Regional Affairs from making a mortgage loan for rental housing unless the borrower agrees not to discriminate against tenants or prospective tenants on account of sex, marital status, changes in marital status, pregnancy, parenthood, race, religion, color, national origin, or status as a student.

Section 12 sets nonconforming housing loans at one-quarter percent more than AHFC rates and sets rural housing loans at one percent less than AHFC rates.

Section 13 changes the definition of "rural" for community and regional affairs housing loans to include every community with fewer than 4,500 people that is not connected by road or rail to Anchorage, but is more than 50 air miles from Anchorage.

Section 14 adds central heating systems fueled by wood or coal to the list of alternative energy devices that are eligible for alternative energy loans under AS 45.88.

Section 15 repeals a portion of the AHFC interest rate calculation mechanism that is no longer necessary and repeals the 80/20 split allocation provision (80 percent rural and 20 percent urban) for nonconforming housing loans.

Section 16 delays the effective date of the home ownership assistance fund until January 1, 1984.

Section 17 makes the rest of the bill effective immediately.

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 25, 1983

SUBJECT: Inclusion of regional Native housing
authority provisions in HB 302
(Work Order No. 13-1435)

TO: Senator Richard I. Eliason
Chairman, Senate Labor and
Commerce Committee

FROM: *HL* Linn H. Asper
Legislative Counsel

You have asked if the statutory changes you requested regarding regional Native housing authorities (AS 18.55.996) can be added to a Senate Labor and Commerce Committee substitute to CSHB 302 (Finance). Since the title of the bill cannot be changed to accommodate the new material (Uniform Rule 24(c)) the question is whether or not the title of the bill as passed by the House of Representatives covers the proposed addition under applicable state constitutional requirements. The title of the House passed version of the bill is "An Act relating to state housing loan and state alternative technology loan programs; and providing for an effective date." For your purposes, the relevant part of the title is "relating to state housing loan . . . programs". It is my opinion that the regional Native housing authority program is arguably a "state housing loan program" making inclusion of your new material permissible under the single subject and descriptive title requirements of the Alaska Constitution (Article II, section 13). The regional housing authorities have been created to administer both state and federal housing loan money. In particular you should note that the housing authorities can make loans under the Department of Community and Regional Affairs' rural housing loan program (AS 18.55.997). In this sense it is not reaching too far to describe the regional Native housing authority program as a "state housing loan program". For what it is worth, the title of Chapter 113, SLA 1982 is, in relevant part, "An Act relating to certain state loan and grant

programs . . . " and contains an amendment to the regional housing authority statute.

While it would be better practice to change the title of the bill to clarify your proposed addition, this is not possible under the Uniform Rules and I believe you may properly add the material without changing the title.

LHA:ljb
21/026

TELEGRAM

ALASCOM, INC.
PHONE: 586-6442
JUNEAU, AK 99802

06005 TDJU SITKA ALASKA 54 05-25 1153A PDT

PHS SENATOR RICHARD ELIASON

POUCH V

4693

JUNEAU AK 99811

SENATOR ELIASON:

THE SITKA COMMUNITY ASSOCIATION RESPECTFULLY REQUESTS YOUR
ASSISTANCE TO AMEND ALASKA STATUTE 1.55.996 AS FOLLOWS:

ADD A PARAGRAPH TO INCLUDE THE SITKA COMMUNITY
ASSOCIATION (BARRANOF ISLAND HOUSING AUTHORITY)
TO THE LIST OF ASSOCIATIONS AUTHORIZED TO FORM
NATIVE HOUSING AUTHORITIES.

THANK YOU VERY MUCH FOR YOU SUPPORT ON THIS MATTER.

WILLIAM N. BRAD, PRESIDENT

SITKA COMMUNITY ASSOCIATION

Inform

Barbara Morse -

Quinn

When scheduled :

272-4585 :

Zenith 4585

Bill Fact Sheet

Date Received _____

Bill Number HB 302 Title _____

Fiscal Note - Date Requested _____ Date Received _____

- Of Whom _____

Dept. Position Paper - Date Requested _____ Date Received _____

- Of Whom _____

Resource People

Initial Hearing - Date 6-2-83

People Contacted

Koren (C+RA) - Position paper/fiscal note 5/23
(Barbara Morse)

Richard Rainery DCRA Leg. Coordinator

Barbara Morse Quinn

AHFC (Judy Despain for Donna Cline)

DCED

Rep. Uehling

Follow-up Hearing - Date _____

Donna Cline

276-5589

AHFC
(HB 180 portion)

Final Action _____ Date _____